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*Attorneys for Defendant dbest products, Inc.*

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

11 iBeauty Limited Company,  
12 Dongguan Xianghuo Trading Co.,  
13 Ltd., Dongguan Laiyang Trading Co.,  
14 Ltd., Guangzhou Linyu Trading Co.,  
15 Ltd., Guangzhou Lincan Electronic  
Technology Co., Ltd., and Guangzhou  
Senran Electronic Technology Co.,  
Ltd.,

Plaintiffs.

18 | V.

19 | dbest products, Inc.,

**Defendant**

Case No. 2:24-cv-10694-MWC-JC

Hon. Michelle Williams Court

**DECLARATION OF EHAB M.  
SAMUEL IN SUPPORT OF  
DEFENDANT'S MOTION TO  
STRIKE AND/OR DISMISS THE  
FIRST AMENDED COMPLAINT  
PURSUANT TO CALIFORNIA  
CODE OF CIVIL PROCEDURE  
SECTION 425.16 AND FEDERAL  
RULE OF CIVIL PROCEDURE  
12(b)(6)**

[*Notice of Motion and Motion;  
Memorandum of Points and Authorities;  
and [Proposed] Order filed  
concurrently herewith*] 1

Date: June 20, 2025  
Time: 1:30 p.m.  
Ctrm: 6A

## **DECLARATION OF EHAB M. SAMUEL**

I, EHAB M. SAMUEL, declare and state as follows.

3       1. I am an attorney duly licensed in the State of California and in the United  
4 States District Court for the Central District of California. I am a partner of Orbit IP,  
5 LLP, counsel for Defendant dbest products, Inc. in this action. I submit this  
6 declaration in support of Defendant's Motion to Strike and/or Dismiss the First  
7 Amended Complaint, filed by Plaintiffs iBeauty Limited Company, Dongguan  
8 Xianghuo Trading Co., Ltd., Dongguan Laiyang Trading Co., Ltd., Guangzhou Linyu  
9 Trading Co., Ltd., Guangzhou Lincan Electronic Technology Co., Ltd., and  
10 Guangzhou Senran Electronic Technology Co., Ltd., (collectively, "Plaintiffs"),  
11 pursuant to California Code of Civil Procedure Section 425.16, and Federal Rule of  
12 Civil Procedure 12(b)(6). I have personal knowledge of each fact stated in this  
13 declaration and if called as a witness I could and would testify competently to the  
14 truth of these facts.

15        2. In accordance with Local Rule 7-3, on April 22, 2025, I sent an email to  
16 David Silver of Bayramoglu Law Offices, LLC, counsel for Plaintiffs, attaching a  
17 detailed letter that (a) set forth dbest's intention to file the present motion and the  
18 bases and (b) requested that Plaintiffs dismiss the offending state law claims *with*  
19 *prejudice*. In my letter, I also invited Mr. Silver to attend a telephonic meet and confer  
20 to determine if some other compromise could be reached that would avoid the need  
21 for motion practice. Attached hereto as **Exhibit A** is a true and correct copy of my  
22 April 22, 2025 attached letter to Mr. Silver.

22       3. On April 29, 2025, Mr. Silver and I conducted a telephonic meet and  
23 confer on April 29, 2025 to discuss this matter further. During the call, Mr. Silver  
24 stated that his clients would prepare a stipulation for the parties to consider that would  
25 allow Plaintiffs to amend the First Amended Complaint to remove the state law  
26 claims.

1       4.     On May 5, 2025, after not receiving the draft stipulation from Mr. Silver,  
2 I wrote him an email to remind him to send the stipulation. On May 7, 2025,  
3 Mr. Silver responded to my email with the draft stipulation and a draft Second  
4 Amended Complaint. While the Second Amended Complaint eliminated the state  
5 law claims, the draft stipulation indicated that the dismissal of the claims was without  
6 prejudice to Plaintiffs ability to re-assert the claims later on in the litigation. That  
7 same day I emailed Mr. Silver revisions to the stipulation to make it clear that any  
8 such agreement for leave for Plaintiffs to amend the complaint would require  
9 dismissal of the state law claims with prejudice.

10      5.     On May 8, 2025, I received an email from Mr. Silver rejecting the  
11 language that indicated the dismissal of the state law claims would be with prejudice.  
12 Mr. Silver insisted that Plaintiffs desire to conduct discovery in the context of the  
13 litigation that would support resurrecting the state law claims. I impressed on  
14 Mr. Silver that Plaintiffs' position was ran counter to the letter and spirit of  
15 California's anti-SLAPP law. Also, I advised Mr. Silver that any proposed  
16 subsequent amendment of the complaint to re-assert the state law claims would be  
17 futile given the application of the legal principles that barred Plaintiffs' state claims  
18 as a matter of law. He disagreed and stated that Plaintiffs would seek, without  
19 Defendant's consent, to file a motion for leave to file a Second Amended Complaint.  
20 Attached hereto as Exhibit B is a true and correct copy of the emails between Mr.  
21 Silver and myself (without the attendant attachments).

22      6.     At this point, the parties had reached an impasse. With the impending  
23 statutory deadline to file an anti-SLAPP motion, and no guarantee that the Court  
24 would grant Plaintiffs' motion for leave, Defendant had no choice but to file the  
25 motion to preserve its rights.

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1 I declare under penalty of perjury of the laws of the State of California that  
2 the foregoing is true and correct.

3 Executed this 9th day of May, 2025 at Los Angeles, California.

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Ehab M. Samuel

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